

New Hampshire
State Board of Education
Minutes of the December 16, 2014 Meeting

AGENDA ITEM I. CALL TO ORDER

The regular meeting of the State Board of Education was convened at 9:05 a.m. at the Department of Education, 101 Pleasant Street, Concord, NH. Tom Raffio presided as Chairman.

Members present: Tom Raffio, Cindy C. Chagnon, Gary Groleau, Helen G. Honorow, and Emma Rous. Bill Duncan and Gregory Odell were unable to be present. Virginia M. Barry, Commissioner of Education, and Paul K. Leather, Deputy Commissioner of Education, were present.

AGENDA ITEM II. PLEDGE OF ALLEGIANCE

Cindy Chagnon led the pledge of allegiance.

AGENDA ITEM III. PUBLIC COMMENT

Bonnie Dunham representing the Parent Information Center spoke of her concerns regarding Ed 1200 the Child Restraint rule and the item regarding New Education Standards. Bonnie wanted to be sure that disadvantaged children will be included in the new education standards and that there would be a night hearing on Ed 1200.

Doris Hohensee is concerned about Smarter Balanced Assessment in Nashua. Board members felt they wanted to do what was right for the children. They got a legal opinion from our city counsel. I know Manchester sent you a letter saying they are concerned that there financial funding might be impacted in their district. I know they are not very interested in administering it from listening to their meetings. Then Alton and Londonderry are working on waivers which Superintendent Livingston in Manchester says they don't exist. So there is so much misinformation and confusion going on in this state. Most school boards put their videos up in three days of the meetings. Up here, the last video that was posted was in October so getting information from the state is difficult and problematic. I am hoping that this is the start of the new legislative session that this can be worked on so we can get more communication so that we won't get the Commissioner coming to the legislature saying that we aren't allowed to support parents because there is a lot of information going all over the place and there is no consistency.

Chairman Raffio responded that we have been very consistent that the Smarter Balanced is a requirement; that hasn't changed. The Nashua Attorney actually said it best – that's what rules in terms of that particular policy. Any misinformation out there is spread by others that don't have the knowledge. We are very transparent. If something is not posted it's through a technical glitch not through any willfulness on our part not to share information.

Chairman Raffio asked if the State Board's meeting video is posted and what is the glitch. I know Doris has mentioned this before and I keep asking for this to be resolved. Peter Martin replied that in this case it was because his computers had a virus. These will be posted on the following Monday.

Ms. Hohensee said it is pretty confusing for parents to know that some districts are able and willing to work for waivers and other districts aren't invited to take part in the same process.

Commissioner Barry responded that right now every school district is required to take Smarter Balanced. There have been over the last five years four school districts that have been working with competency-based education: the PACE Project. We are asking for a pilot for those districts. In those districts all third through eighth grade will take Smarter Balanced. The pilot itself, if it is approved and, it has not been approved, would be for those four school districts only. That's where the confusion lies. We have no approval at this time. USDOE has told us is they would prefer in this coming year that all students take Smarter Balanced. The second thing is that about a year ago Londonderry School District, as everyone knows, and it has been in the minutes several times, applied to be a pilot for SAT at the eleventh grade.

We pursued that in Washington and basically their response to us was that if you are asking for your accountability system to change for 11th grade to the College Board SAT for the whole state every district must agree to an 11th grade SAT assessment. That's where it lies and so in order for us to even consider changing our accountability system, not a waiver, at the 11th grade for the College Board for every 11th grader every school district must agree to that. So if four districts were approved for PACE we will probably be hearing at some point but they will still be taking Smarter Balanced in grades three through eighth grade. The Superintendents are in charge of their district and the communication to school boards on the College Board SAT for an 11th grade accountability system would come from the Superintendent who works directly with their school board. I do want to mention that about four years ago Rep. Ladd and several other representatives had repeatedly requested why aren't we using SAT in the 11th grade because they felt it would be cost savings for both the districts and for parents. The Superintendent is obligated to communicate to the school board who then communicates to the public at board meetings. Your Superintendent

Mark Conrad was there on Friday when we had a detailed conversation regarding this.

It's still in the decision making process whether or not all school districts will participate, because it would be, no waiver, but part of our accountability system at the 11th grade. Unless all districts agree we cannot even pursue changing our accountability system. It would be in school year 2016.

Cindy Chagnon said she understood that the SATs are more expensive. Commissioner Barry said they would be working with the College Board to determine a cost that would be comparable to SBAC.

Beth McClure from Strong Foundations said that currently the schools send a records request to the students' previous schools. In that way the school is naturally notified that a student is leaving their school and will be attending the new school. She would like the wording be inserted in Draft Final Proposal for Ed 318, Charter Schools and Ed 319, Open Enrollment Schools to have that be the notification and that the time frame be within 30 days of enrollment or prior to enrollment if possible. Charter schools work with students from many school districts. It is not reasonable or necessary to put a regulatory burden on charter schools that traditional public schools do not have to follow.

AGENDA ITEM IV. OPEN BOARD DISCUSSION

A. Update on Charter Schools – There was no update on charter schools at this meeting.

1. Charter School Matrix – Helen Honorow reported that Keith Burke was unable to attend today's meeting. Department staff have seen a template, made some suggestions regarding the template. Bill and I will meet with Keith again shortly.

B. Discussion on Strategic Items – Goals – There was no report at this meeting. Chairman Raffio would like Heather Gage to attend the January 7th meeting to discuss the goals.

C. Miscellaneous

1. Position Statement on International Education and Exchange
Paul Leather said that a notice was sent to all school districts for feedback regarding this position statement. We are still receiving the feedback and when the process is completed the Department will edit the statement.

2. Vermont State Board of Education Statement on Assessment – Chairman Raffio said that the Board had sent a letter to the Vermont Board.

3. New Education Standards – LSR 0047.0 – Chairman Raffio said that Rep. Cordelli had sent him LSR 0047.0, Relative to the implementation of new college and career readiness standards, and asked for the Chairman's concerns. Chairman Raffio asked Board members if they would be in agreement to send an official letter as to the position of the Board.

MOTION: Emma Rous made the motion, seconded by Cindy Chagnon, that the State Board of Education send an official letter as to the position of the State Board of Education on LSR 0047.0, Relative to the implementation of new college and career readiness standards and to have Chairman Raffio sign the letter.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

4. Chairman Raffio said that the Business and Education Coalition is involved in several exciting things happening in the state. The Coalition is collaborating with different businesses and educators on several initiatives trying to get all common STEM-related threads together with the 10,000 Mentors program possibly being the umbrella. On February 17 there is a Region 17 Career and Technical Education event if you are able to attend. The statewide Scholar's breakfast was well attended. This program needs to be sustained with financial support. The Coalition has endorsed the program and it has been a wonderful program that most high schools have adopted.

Commissioner Barry said that Scott Powers did address the issue around funding and that there is dialogue across the state regarding the New Hampshire Scholars Program and that it is helping to support quality curriculum in our high schools. Commissioner Barry said that Chairman Raffio was recognized for his unwavering support of education at the award ceremony.

Cindy Chagnon said that last Wednesday she had attended the Leadership Awards Banquet and the participants are doing amazing things. She is also on the Principal of the Year Committee.

Helen Honorow suggested that the Board review the goals statement, and see where we are with respect to those goals.

Helen Honorow and the Executive Director of the Nashua Chamber of Commerce are meeting with the Manchester Chamber of Commerce regarding the leadership program they have created for educators.

AGENDA ITEM V. SPECIAL PRESENTATIONS

A. Student/Hooksett School Board – SB-FY-14-06-015 – The parents appealed the school board decision to suspend Hooksett's Policy JCB and to table the parents' request under Policy JCB for the assignment of their daughter to Londonderry High School for the 2015-16 school year. The parties have reached an agreement. As a result, the matter is resolved and the matter settled without further action by either party for any action prior to the date of the agreement. The Hearing Officer recommends that the Board approve the agreement.

MOTION: Cindy Chagnon made the motion, seconded by Helen Honorow, that the State Board of Education accept the Hearing Officer's Report and adopt the Hearing Officer's Recommendation.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

B. Wisdom Hunters First Lego League Team - Kim Moushegian said the Wisdom Hunters team is composed of seven home-schooled students aged 10-15. Team members are Owen from Nashua, Sarina from Nashua, Seamus from New Boston, Ashley from Nashua, Zach from Nashua, Sean from Nashua and Taoighan from New Boston. This is their fifth year competing in the FIRST LEGO League competition. This year, they were challenged to create an educational tool. In addition to doing this research project, the team is also challenged to complete tasks with LEGO robots. They competed on November 22, 2014 at Hillside Middle School in Manchester, NH. The team's innovative prototype, the Socrates Computer Tutor, is a computer based program designed to teach complex concepts through the use of an interrogative-style mentor.

C. Teacher/Farmington School Board – SB-FY-14-08-004 – Motion for Hearing/Rehearing (take from table) - James Allmendinger, Esq., Attorney for the Teacher, Peter Phillips, Esq., Attorney for the Farmington School Board; Steven Welford, Superintendent of Schools for SAU #61; and the Teacher, were present. Chairman Raffio asked the parties if they would like this hearing held in public or nonpublic session. They elected to hold it in nonpublic session.

MOTION: Helen Honorow made the motion, seconded by Emma Rous, to go into nonpublic session pursuant to RSA 91-A:3.

VOTE: This was done by a roll call vote: Emma Rous – Yes; Gary Groleau – Yes; Cindy Chagnon – Yes; Tom Raffio – Yes; Helen Honorow – Yes.

MOTION: Cindy Chagnon made the motion, seconded by Helen Honorow, to come out of nonpublic session.

VOTE: This was done by a roll call vote: Emma Rous – Yes; Gary Groleau – Yes; Cindy Chagnon – Yes; Tom Raffio – Yes; Helen Honorow – Yes.

MOTION: Helen Honorow made the motion, seconded by Cindy Chagnon, that the State Board of Education voted that the parties motion for rehearing and/or reconsideration be DENIED.

VOTE: This was done by a roll call vote: Emma Rous – Yes; Gary Groleau – Yes; Cindy Chagnon – Yes; Tom Raffio – Yes; Helen Honorow – Yes.

D. Harris Conservation Center and Con-Val STEM Project – Brendan Minnihan, Superintendent of Schools, Kimberly Saunders, Assistant Superintendent of Schools, Dr. Jeremy Wilson, Executive Director for the Harris Conservation Center, Susie Spikol, and Janet Altobello, were present. Partnerships offer the opportunity to increase the efficacy of the instruction given to students in STEM-related topics. The Harris Center bridges the gap between the classroom and the natural world and the world of science practitioners. The Harris Center staff members are experienced naturalists with specific expertise. They provide field science experiences that would otherwise not be possible for our students. The Harris Center for Conservation Education is dedicated to promoting understanding and respect for our natural environment through education of all ages, direct protection and exemplary stewardship of the region's natural resources, conservation research, and programs that encourage active participation in the great outdoors. Since 1972, The Harris Center for Conservation Education and the ConVal School District have been partnering to bring children and teachers authentic science experiences within the context of the local natural world.

E. Teacher/Governor Wentworth School Board – SB-FY-14-06-017 – Chairman Raffio asked the parties if they would like this hearing held in public or nonpublic session. They elected to hold it in public session. The Teacher appealed the Governor Wentworth School Board's determination relative to Teacher Non-Renewal due to reduction in force. Barbara Giroux, Teacher, Jim Allmendinger, Esq., Attorney for the Teacher, Kathleen Cuddy-Egbert, Superintendent of Schools for SAU #49, and Barbara Loughman, Esq., Attorney for the School Board, were present. Each party presented testimony.

MOTION: Cindy Chagnon made the motion, seconded by Gary Groleau, that the State Board of Education accept the Hearing Officer's Report and adopt the Hearing Officer's Recommendation.

VOTE: This was done by a roll call vote: Emma Rous – No; Gary Groleau – Yes; Cindy Chagnon – Yes; Tom Raffio – No; Helen Honorow – Yes. This vote passed by a 3 – 2 vote of the Board present.

F. Goffstown/Dunbarton School Boards – SB-FY-14-01-008 – Gordon Graham, Esq., Ed Kaplan, Esq., and Brian Balke, Superintendent of Schools for SAU #19 Goffstown, were present. The issue is regarding an AREA Plan dispute between the Goffstown and Dunbarton School Districts. The request was made in accordance with Section 15 of the AREA Plan, which provides that disputes "concerning the terms of this Agreement" are to be resolved, in accordance with Administrative Rule Ed 200, by the New Hampshire Board of Education. The Board's jurisdictional authority over this dispute is established by RSA 21-N:4,III. In lieu of a hearing, each party submitted a Memorandum of Law in respect to the respective positions. The Hearing Officer recommended that the State Board of Education find that Dunbarton remains financially obligated with respect to the high school construction bond. A response to the Motion for Rehearing and Reconsideration will provide a final disposition of this matter. Each party presented testimony.

MOTION: Cindy Chagnon made the motion, seconded by Helen Honorow, that the State Board of Education voted to deny the Motion for Rehearing.

VOTE: This was done by a roll call vote: Emma Rous – Yes; Gary Groleau – Yes; Cindy Chagnon – Yes; Tom Raffio – Yes; Helen Honorow – Yes.

AGENDA ITEM VI. NEW DEPARTMENT BUSINESS

There was no New Department Business at this meeting.

AGENDA ITEM VII. LEGISLATIVE ISSUES

A. Initial Proposal for Ed 506.05, Certification of Curriculum Administrator and Ed 614.13, Teacher Preparation Program for Curriculum Administrator – A vote is needed to enter the rulemaking process to adopt the Initial Proposal for Ed 506.05 and Ed 614.13, Curriculum Administrator. These rules are being updated to reflect current standards and practices and being readopted with amendments because they are due to expire in March 2015. The Board will hold a public hearing at its February 18, 2015 meeting. This information will be published in the Rulemaking Register next month.

MOTION: Cindy Chagnon made the motion, seconded by Helen Honorow, that the State Board of Education adopt the Initial Proposal for Ed 506.05 and Ed 614.13, Curriculum Administrator and the Board will hold a public hearing on this filing at the February 18, 2015 meeting at 11:00 a.m.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

B. Initial Proposal for Ed 1200, Child Restraint – A vote is needed to enter the rulemaking process to adopt the Initial Proposal for Ed 1200, Child Restraint. These rules are being readopted to update them to be consistent with the changes in RSA 126-U with the passage of 2014, Chapter 321 (SB 196). If the Board adopts the Initial Proposal, the Department will enter the rulemaking process. The Board will hold a public hearing at its February meeting. This information will be published in the Rulemaking Register next month.

MOTION: Cindy Chagnon made the motion, seconded by Helen Honorow, that the State Board of Education adopt the Initial Proposal for Ed 1200, Child Restraint and the Board will hold a public hearing on this filing at the February 18, 2015 meeting at 11:30 a.m. and a second hearing to be held in the evening from 5:30 pm to 7:00 pm on February 19, 2015.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

C. Draft Final Proposal for Ed 318, Charter Schools and Ed 319, Open Enrollment Schools – A vote is needed by the Board to adopt the draft final proposal for Ed 318, Charter Schools, and Ed 319, Open Enrollment Schools. The Department has made changes to the initial proposal in response to comments from the public. The Board will hold a public hearing on the draft final proposal at the January 7, 2015 meeting. This information will be published in the next rulemaking register. Mary Mayo reported to the Board on some revisions to the draft. Deputy Commissioner Leather said that there had been a meeting with the Chairman, Matt Southerton and Eileen Liponis regarding these draft rules and he stated that their recommendations for changes will be shared with the Board prior to the next meeting.

MOTION: Cindy Chagnon made the motion, seconded by Helen Honorow, that the State Board of Education adopt the Draft Final Proposal for Ed 318, Charter Schools, and Ed 319, Open Enrollment Schools and that the State Board hold a public hearing on this draft final proposal at the January 7, 2015 meeting at 11:00 a.m.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

D. Final Proposal for Ed 507.06.07 and Ed 614.03, School Counseling and Ed 507.08 and Ed 614.06, School Psychology Certification and Teacher Preparation Programs – A vote is needed to adopt the Final Proposal for Ed 507.06.07, and Ed 614.03, School Counseling and Ed 507.08 and Ed 614.06, School Psychology Certification and Teacher Preparation Programs. The Department has made changes to the Initial Proposal as annotated in response to comments from the staff attorney for JLCAR. The Final Proposal will be submitted to the JLCAR for its review. After their public hearing and approval by the JLCAR, the Board may then adopt the final rule at its next regularly scheduled meeting.

MOTION: Cindy Chagnon made the motion, seconded by Helen Honorow, that the State Board of Education adopt the Final Proposal for Ed 507.06.07, and Ed 614.03, School Counseling and Ed 507.08 and Ed 614.06, School Psychology Certification and Teacher Preparation Programs.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

AGENDA ITEM VIII. COMMISSIONER'S REPORT

Commissioner Barry mentioned that we have some security issues in the building and would be putting in an intercom system in the entrance to the building. There have been some "people of concern" here that have concerned staff. It is a three phase plan: the first part of the plan was meeting with Campus Police and others, the second phase is we have established a waiting room, and the third phase is the intercom system where people will be "buzzed" in. We will be receiving a grant from Emergency Management – Homeland Security.

Commissioner Barry said that Scott Mantie has visited 87 school districts to discuss Smarter Balanced Assessment and that three districts who had considered not being involved are committed to Smarter Balanced now.

Commissioner Barry said she and the Deputy Commissioner have met with SERESC and the new charter school will align with the Governor's Report on STEM. The Commissioner has met with the UNH Manchester Dean and the Director of the Discovery Center to discuss collaboration between the new charter school and the UNH Discovery Center.

Deputy Commissioner Leather said that the Governor's Report on STEM will be out in the next few weeks. The Department will review the format and recommendations. Mr. Leather said that the report will recommend that the Board take up the Next Generation Science Standards. The teacher preparation plan will involve existing teachers and build stronger skills in STEM. There will be new pathways for new teachers to come into the professional field with on line competency-based methods around the state. Mr. Leather said that math and science backgrounds have not come into the classroom as much as they would have liked. There will be STEM Centers with SERESC Charter School being one of them. Mr. Leather said that micro-credentials will help with the skills.

Commissioner Barry said that last Friday Lisa Hatz, Director of Vocational Rehabilitation, received the Citizen of the Year Award in Rye from the Boy Scouts of America. Lisa is doing a great job for the people in New Hampshire. We are very proud of her.

Commissioner Barry said that the charter schools are near the end of federal money. Caitlin Davis is reviewing the budget and the start-up funds to be distributed no later than July 31, 2015.

Cindy Chagnon inquired about teacher evaluation systems in school districts which is a part of professional development. Commissioner Barry said that Karen Soule and Ashley Frame are meeting with school staff regarding the process at the request of a district.

AGENDA ITEM IX. OLD BUSINESS

There was no Old Business at this meeting.

AGENDA ITEM X. CONSENT AGENDA

A. Minutes of November 17, 2014 Meeting – There were two amendments to the Minutes: 1. Under V.H.1. at the end of the section it should read “Dr. LaSalle indicated he would look into the enrollment policy and get back to the Department; and 2. Chip McGee is the Superintendent of Schools.

MOTION: Cindy Chagnon made the motion, seconded by Gary Groleau, to approve the Minutes of November 17, 2014 meeting, as amended.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

B. Minutes of the Nonpublic Session of the November 17, 2014 Meeting – Teacher/Farmington School Board – SB-FY-14-08-004 – Motion for Hearing/Rehearing

MOTION: Cindy Chagnon made the motion, seconded by Gary Groleau, to approve the Minutes of the Nonpublic Session of the November 17, 2014 Meeting – Teacher/Farmington School Board – SB-FY-14-08-004 – Motion for Hearing/Rehearing and to seal the minutes.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

AGENDA ITEM XI. TABLED ITEMS

A. Teacher/Farmington School Board – SB-FY-14-08-004 – Motion for Hearing/Rehearing

MOTION: Cindy Chagnon made the motion, seconded by Helen Honorow, to remove the Teacher/Farmington School Board – SB-FY-14-08-004 – Motion for Hearing/Rehearing from the table.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

AGENDA ITEM XII. NONPUBLIC SESSION

The Board went into Nonpublic Session under Special Presentations.

AGENDA ITEM XIII. ADJOURNMENT

MOTION: Cindy Chagnon made the motion, seconded by Helen Honorow, to adjourn the meeting at 12:20 p.m.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.



Secretary